REMARKS

Reconsideration of this application, in view of the foregoing amendments and the following remarks, is respectfully requested.

Claims 1-8 and 10-13 were pending for consideration in this application. By the foregoing amendment, Applicant has amended Claims 1, 6 and 8 and canceled Claims 3 and 4. Claims 1-2, 5-8 and 10-13 remain pending.

Claims 1-8 and 10-13 are rejected under 35 USC 102(b) as being fully met by Manabe, USP 5300725. Manabe discloses an automatic playing apparatus that receives data for a musical piece that is composed of

> "audio data, sequence data and schedule table … which defines a schedule showing a combination of the audio data and the sequence data to be used. …. The automatic playing apparatus 12 reproduces and supplies the recorded audio data to an audio equipment 13, and further reproduces a MIDI signal, i.e., recorded sequence data and sends a MIDI output to a MIDI sound source 14. The MIDI sound source 14 generates musical tones having corresponding tone pitches, and outputs them to the audio equipment 13." (col 4, lines 11-31) "data of one musical piece is roughly divided into four areas. … Next to an area for a start code, there are provided an area for musical piece schedule table for deciding performance schedule of a musical piece, an area for sequence (MIDI) data for exchanging data with the MIDI buffer in the buffer 400, and two areas for data of audio tracks (Tr 1, Tr 2) for exchanging data with the audio buffers on the buffer 400." (col. 7, lines 54-67; Figure 4) "

Applicant's independent Claim 1 has been amended to more clearly recite: "...one or more amplifiers and speakers coupled to receive the audio performance signal … wherein the demodulator is further operable to selectively filter the audio performance signal to extract parameters representative of a selected musical instrument to form separate signals …" as described at paragraph [0018] of publication 20050217460. Since Manabe receives signals in which the MIDI data is maintained as a separate record from the audio data, there is no teaching or suggestion to filter the MIDI data from the audio data signal. Reading MIDI data

from a defined portion of formatted record does not suggest any sort of filtering operation. Therefore independent Claim 1 is allowable over Manabe.

Independent Claims 6 has been amended to clarify "separating the signals for a selected instrument from an audio signal representative of the audio presentation …" As discussed above, this is different from and not suggested by Manabe. Therefore, independent Claim 6 and similarly independent Claim 8 are allowable over Manabe.

Claims 2, 5, 7 and 10-13 depend directly or ultimately on allowable base claims and are therefore allowable for this reason and also by virtue of their further distinctive recitations.

Applicant believes this application and the claims herein to be in a condition for allowance and respectfully requests that the Examiner allow this application to pass to the issue branch.

Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicant.

Respectfully submitted,

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